

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE  
HONORABLE ROBERT B. KUGLER

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COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

v.

EQUITY FINANCIAL GROUP, LLC,  
et al.,

Defendants.

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Civil No. 04-1512 (RBK)

**ORDER**

This matter comes before the Court upon the motions of Plaintiff, Commodity Futures Trading Commission, and Defendants, Tech Traders, Inc., Tech Traders, Ltd., Magnum Capital Investments, Ltd., Magnum Investments, Ltd. and Coyt E. Murray, seeking to strike the cross-claims of Defendants Equity Financial Group, LLC, Vincent J. Firth, and Robert W. Shimer (the "Equity Defendants"). By way of letter dated March 2, 2005, Samuel F. Abernethy, Esquire, counsel for the Equity Defendants, advised the Court that the Equity Defendants are withdrawing their cross-claims. Accordingly, the Court finds that the present motions to strike the cross-claims are moot.

CONSEQUENTLY,

IT IS on this 4th day of March, 2005,

**ORDERED** that the motions [130] and [131] to strike the cross-claims of the Equity Defendants shall be, and hereby are,

**DISMISSED**; and it is further

**ORDERED** that any party that seeks to amend its pleadings to assert additional claims, including cross-claims, or defenses, shall file a formal motion for leave to amend in accordance with Fed.R.Civ.P. 15 and L.Civ.R. 7.1(f), as amended by Order of Chief Judge John W. Bissell on February 24, 2005.

s/ Ann Marie Donio  
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ANN MARIE DONIO  
UNITED STATES MAGISTRATE JUDGE

cc: Hon. Robert B. Kugler